



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Palacios,

Plaintiff,

vs.

UNKNOWN NATIONAL CITY POLICE
OFFICERS, et al.,

Defendants.

Civil No. 07-2115 JAH (CAB)

**NOTICE OF APPEAL, DISMISSAL OF
§ 1983 CIVIL RIGHTS VIOLATION**

Judge John A. Houston

NOW COMES the Plaintiff, Renne De Liva-Palacios, through himself, and pursuant to the Due Process Clause of the Fifth Amendment files this NOTICE OF APPEAL in good faith. Plaintiff is appealing the dismissal of his § 1983 Civil Rights Violation by the National City Police Department. His complaint was not frivolous and was different from previous filing.

Never-the-less, the claim was the same, he was almost killed by a police dog that was let loose on him when he was on the ground, not resisting police officers. The Court has rendered a manifestly unjust decision. Thusly the Plaintiff Appeals.

Respectfully Submitted,


Rene De Liva-Palacios #03562-298
Federal Correctional Institution
Post Office Box 725
Edgefield, South Carolina 29824

January 15, 2008

Sent Via U.S. Mail Certified-No. 7005 1820 0007 5950 2135

United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

Rene De Liva Palacios

v.

JUDGMENT IN A CIVIL CASE

Unknown National City Police Officers, et al.

CASE NUMBER: 07CV2115-JAH(CAB)

Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the civil action is dismissed as duplicative pursuant to 28 USC 1915A(b)(1) and the motion to proceed in forma pauperis is denied as moot.

November 7, 2007

Date

W. Samuel Hamrick, Jr.

Clerk

s/J. Petersen

(By) Deputy Clerk

ENTERED ON November 7, 2007

Notice of Appeal Notification Form

To: Clerk, U.S. Court of Appeals **Date:** 01/24/08
From: U.S. District Court, Southern District of California
Subject: New Appeals Case Information & Docket Fee Notification

Case Information

Case Title: Rene De Liva Palacios v. Unknown Named Officers
U.S.D.C. No.: 07cv2115 JAH (CAB) U.S.D.C. Judge: John A. Houston
Complaint/Indictment/Petition Filed: Complaint
Appealed Order Entered: 11/7/2007
Notice of Appeal Filed: 1/23/2008
Court Reporter: n/a

COA Status: Granted in full/part (appeal only) Denied (send clerk's file)

Docket Fee Notification

Docket Fee: Paid Not Paid No Fee Required
USA/GOV'T. APPEAL: Yes No

Date F/P granted (Show Date and Attach Copy of Order): _____

Was F/P Status Revoked? Yes No

Companion Case(s): (Please list consolidated cases, if applicable) _____

Counsel Information

Appellant Counsel: **Appellee Counsel:**

Rene De Liva Palacios
03562298

PO Box 725
Edgefield, SC 29824

Counsel Status: Retained Appointed Pro Se
Appointed by: _____
(Attach copy of order/minutes)

Defendant Information

Prisoner ID Number: 03562298
Bail: _____

Custody: X**SERVICE LIST**

Counsel for Appellant(s) and Appellee(s), as listed on the previous page, have been sent copies of the following items:

<input checked="" type="checkbox"/>	Transmittal of U.S.C.A. (Appellant and Appellee)
<input checked="" type="checkbox"/>	Case Information/Docketing Fee Notification Form. (Appellant Only)
<input checked="" type="checkbox"/>	Notice of Appeal. (Appellant, Appellee, U.S. District Judge, USPO, and Court Reporter)
<input checked="" type="checkbox"/>	Docket Entries (Appellant and Appellee)
<input checked="" type="checkbox"/>	Designation of Reporter's Transcript and Ordering Form. (Appellant Only, mailed separately)
	Order for Time Schedule. (Criminal Only) (Appellant, Appellee, and Court Reporter)
	Magistrate Judge's Report and Recommendation
	COA Order
	F/P Order
	Minute Order
<input checked="" type="checkbox"/>	Other: Clerk's Judgment entered 11/7/2007

Form Completed And Documents Served By U.S. District Court Deputy Clerk:

Lauren Hammer

Deputy's Name

L. Hammer

Deputy's Signature

UNITED STATES DISTRICT COURT
 Southern District Of California
 Office Of The Clerk
 880 Front Street, Room 4290
 San Diego, California 92101-8900
 Phone: (619) 557-5600
 Fax: (619) 702-9900

W. Samuel Hamrick, Jr.
 Clerk of Court

To: Clerk, U.S. Court of Appeals
 P.O. Box 193939
 San Francisco, CA 94119-3939

Re: **USCA No:**
USDC No: 07cv2115 JAH (CAB)
Palacios v. Unknown Named Officers

Clerk, U.S. Court of Appeals, enclosed herewith you will please find:

<input checked="" type="checkbox"/>	Copy of the Notice of Appeal		<input checked="" type="checkbox"/>	Docket Entries			
<input checked="" type="checkbox"/>	Case Information/Docket Fee Payment Notification Form						
Order for Time Schedule (Criminal)							
Original Clerk's Record in			set(s) of		volume(s).		
Reporter's transcript's transcripts in			set(s) of		volume(s).		
Exhibits in		envelope(s)	box(es)		folders(s)		
<input checked="" type="checkbox"/> Judgement Order				F/P Order			
CJA Form 20				Minute Order			
Certificate of Record				Mandate Return			
Magistrate Judge's Report and Recommendation							
COA Order							
Amended docket fee notification form							
Order Appointing Counsel for Appeal							
<input checked="" type="checkbox"/>	Please acknowledge on the enclosed copy of this transmittal						

Sincerely yours,

W. Samuel Hamrick, Jr.
 Clerk of Court

By: **L. Hammer**
 Lauren Hammer, Deputy

Date: 01/24/08